

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1943--1944

December 16, 1943

Honorable Irvine E. Peterson
Judge, Caribou Municipal Court
Caribou, Maine

Dear Judge,

I have your letter of December 15th. We see no ambiguity in Chapters 72 and 205 of the Public Laws of 1941. The original statute was amended in two different parts by the same legislature. Under the system used for some years, an amendment is printed in blackface and the original text to be amended is printed in ordinary type. The purpose in printing both the amendment and original text is so that the reader can see immediately without turning to another volume just what change has been made in the statute. Inasmuch as neither amendment had become law at the time the other was enacted, the Revisor of Statutes incorporated the original language in each Act.

This happens at practically every session of the legislature and frequently several times. As far as I know, no one until last year ever raised any question in regard to the effect, and, also as far as I know, no judge has ever suggested that the mere printing of the original language, to show what has been changed, created an ambiguity.

Sincerely yours,

FRANK I. COWAN
Attorney-General

December 23, 1943

Roscoe L. Mitchell, M.D., Director

Bureau of Health

I have your memo of December 21st, asking whether a certificate from a chiropractor covers the statutory requirement in regard to a child returning to school after absence with indications of being or having been ill.

The statute authorizing chiropractors to practise their profession has not yet been extended to the point indicated by your question.

FRANK I. COWAN
Attorney-General

December 23, 1943

Roscoe L. Mitchell, M.D., Director

Bureau of Health

I am returning herewith the letter from Mr. A. Edwin Smith, city clerk of the City of Portland, asking if he is authorized under our statutes to record that a man who was married in Portland in 1939 under the name of Feinstein has now changed his name to Frederick L. Fenton.

P. L. 1933, Chapter 1, Sections 79 and 81, are the only provisions that I know of that have any bearing on this particular subject. Section 79 authorizes a correction of an error and describes exactly the means that should be used for correcting the error. In this particular case there was no error. Mr. Feinstein at the time of his marriage in 1939 was properly described as Feinstein.